

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



Revised Combined
Revised Notice of Receipt of Application and Intent
to Obtain Hazardous Waste Permit Renewal/Major Amendment
and
Notice of Application and Preliminary Decision for
Hazardous Industrial Waste Permit Renewal
Permit No. 50204

The notice issued on July 23, 2020, is being revised to extend the public comment period to provide access to the application and preliminary decision in the local library for 45-days.

APPLICATION AND PRELIMINARY DECISION. Gladieux Metals Recycling, LLC, 302 Midway Road, Freeport, Texas 77542, operates a commercial industrial and hazardous waste management facility which recycles spent catalysts applied to Texas Commission on Environmental Quality (TCEQ) for a permit renewal and a major amendment to authorize structural changes for the facility's permitted units, the reclassification of a containment building to a container storage area, add wastes authorized to be accepted and stored at the facility, remove certain requirements to divide a consolidated permit into its separate authorizations, and remove authorization of air emissions that are authorized under TCEQ Air Permit No. 9803. The facility is located at 302 Midway Road, Freeport, 77542 in Brazoria County, Texas. TCEQ received the application by Gulf Chemical & Metallurgical Corporation (GCMC) on June 19, 2012. On December 06, 2017 the TCEQ approved a permit modification transferring the permit from GCMC to the new owner, Gladieux Metals Recycling, LLC. The TCEQ received an amended application from Gladieux Metals Recycling, LLC, on September 30, 2019. The following link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice: <https://arcg.is/1nn0KT>. For exact location, refer to application.

The Coastal Management Program boundary is the area along the Texas Coast of the Gulf of Mexico as depicted on the map in 31 Texas Administrative Code Section 503.1 and includes part or all of the following counties: Cameron, Willacy, Kenedy, Kleberg, Nueces, San Patricio, Aransas, Refugio, Calhoun, Victoria, Jackson, Matagorda, Brazoria, Galveston, Harris, Chambers, Jefferson and Orange. The TCEQ Executive Director has reviewed this action for consistency with the goals and policies of the Texas Coastal Management Program (CMP) in accordance with the regulations of the Coastal Coordination Council (CCC) and has determined that the action is consistent with the applicable CMP goals and policies.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and

copying at the Freeport Public Library, 410 North Brazosport Blvd, Freeport, Texas 77541.

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments or request a public meeting about this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ holds a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material or significant public comments. **Unless the application is directly referred to the State Office of Administrative Hearings for a contested case hearing, a response to public comment will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application.** If comments are received, the mailing will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision. A contested case hearing is a legal proceeding similar to a civil trial in a state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name; address, phone; applicant's name and permit number; the location and distance of your property/activities relative to the facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; and the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify an individual member of the group who would be adversely affected by the facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission will only refer the application for a contested case hearing on disputed issues of fact that are relevant and material to the Commission's decision on the application. Further, the Commission will only grant a hearing on issues that were raised in timely filed comments that were not subsequently withdrawn.

EXECUTIVE DIRECTOR ACTION. The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing request or request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

MAILING LIST. If you submit public comments, a request for a contested case hearing or a request for reconsideration of the Executive Director's decision, you will be added to the mailing list for this application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. To be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

INFORMATION AVAILABLE ONLINE. For details about the status of the application, visit the Commissioners' Integrated Database at www.tceq.texas.gov/goto/cid. Once you have access to the CID using the above link, enter the permit number for this application, which is provided at the top of this notice.

AGENCY CONTACTS AND INFORMATION All public comments and requests must be received within 45 days from the date of newspaper publication of this notice either electronically at www14.tceq.texas.gov/epic/eComment/ **or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087.** Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record. For more information about this permit application or the permitting process, please call the TCEQ's Public Education Program, Toll Free, at 1-800-687-4040 or visit the TCEQ public website at www.tceq.texas.gov/goto/pep. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from *Gladieux Metals Recycling, LLC* at the address stated above or by calling *Alison Landis* at 979-415-1519.

Issuance Date: October 02, 2020